S. HRG. 100-386

PENDING SOIL CONSERVATION SERVICE PROJECTS

HEARING

BEFORE THE

SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION, AND INFRASTRUCTURE

OF THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

FIRST SESSION

ON

NORTH DEER CREEK WATERSHED, OKLAHOMA
BIG CREEK WATERSHED, TEXAS

OCTOBER 27, 1987

Printed for the use of the
Committee on Environment and Public Works

U.S. GOVERNMENT PRINTING OFFICE
81-072 WASHINGTON : 1988

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S321-16.

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PENDING SOIL CONSERVATION SERVICE PROJECTS

TUESDAY, OCTOBER 27, 1987

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION,
AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:00 p.m., in room SD-406, Dirksen Senate Office Building, Hon. Daniel P. Moynihan (chairman of the subcommittee) presiding.

Present: Senators Moynihan and Stafford.

OPENING STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

Senator MOYNIHAN. A pleasant good afternoon to our guests and most especially to Representative Leath, who has come from the House to be with us.

Senator Gramm and Representative Leath were here first, but they mean to be joined by Senator Bentsen, and in that circumstance, they have been very gracious enough to suggest that perhaps Senator Boren might be our first witness.

This is a meeting of the Subcommittee on Water Resources, Transportation, and Infrastructure of the Committee on Environment and Public Works.

Our purpose is to pass on two water projects that, basically, come under the jurisdiction of the Soil Conservation Service. They are the Big Creek Watershed Project, Texas, and the North Deer Creek in Oklahoma.

For those who are somewhat mystified by the appearance of these agricultural enterprises before the Committee on Environment and Public Works, it is a division of the responsibilities agreed to in the 1950s, where projects above a particular size were to come under the heading of water projects, as well as agricultural ones, and are referred to this committee.

Without further comment, I will place my opening statement, and Senator Stafford's in the record.

[The statements referred to follow:]

OPENING STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

Good morning, ladies and gentlemen. The Subcommittee on Water Resources, Transportation and Infrastructure is meeting this afternoon to receive testimony on two pending Soil Conservation Service projects. They are the Big Creek watershed project in Texas, and the North Deer Creek project in Oklahoma.

These projects are authorized and constructed under the authority of Public Law 83-566, the Watershed Protection and Flood Prevention Act of 1954. Under this law, the Secretary of Agriculture, through the Soil Conservation Service, is authorized to assist local communities in the planning and implementation of water resources projects. Proposed projects containing structures of more than 4,000 acre-feet total capacity are approved by the Committee on Environment and Public Works; those containing smaller structures are considered by the Agriculture Committee.

I note that the Big Creek and the North Deer Creek watershed projects will provide similar benefits in predominantly rural areas in Texas and in Oklahoma. They both will reduce flood damages, provide for municipal and industrial water supply, and increased water-based recreation.

These projects have the strong support of both the Texas and Oklahoma Senators. In fact, this hearing today was scheduled at the direct request of our colleague Senator Lloyd Bentsen, a member of this committee for the sixteen years prior to this Congress. Senator Bentsen is scheduled to participate in a number of important meetings this afternoon, including one dealing with the economic summit, but hopes to be able to stop by to deliver a brief statement on the Big Creek project, which he has supported for many years. If he is unable to do so, I will see that his statement is the first to be submitted for the hearing record.

I see that we have a number of other distinguished members of Congress on the agenda this afternoon, including Senator Phil Gramm and Congressman Marvin Leath on the Big Creek project, and Senator David Boren on the Deer Creek project. We also have a number of panels, and a representative of the Soil Conservation Service. I wish to remind the panels that, while they are free to submit lengthy statements for the record, we would appreciate their confining oral remarks to no more than twenty minutes per panel.

I look forward to hearing from our witnesses.

OPENING STATEMENT OF HON. ROBERT T. STAFFORD, U.S. SENATOR FROM THE STATE OF VERMONT

I am pleased to be here to hear testimony on two Small Watersheds projects of the Soil Conservation Service.

The Committee has always taken a particular interest in these projects because they require only the passage of Committee resolutions for their authorization. This authorization process, while serving to expedite the performance of these projects, emphasizes the responsibility to the Committee to examine these projects carefully.

I am pleased that we have such distinguished witnesses with us today, and I look forward to hearing their testimony.

Senator MOYNIHAN. Senator Boren, would you proceed to testify on behalf of North Deer Creek, Oklahoma?

STATEMENT OF HON. DAVID L. BOREN, U.S. SENATOR FROM THE STATE OF OKLAHOMA, ACCOMPANIED BY HON. PIERRE TARON, MAYOR, SHAWNEE, OK; DR. JOE TARON, CHAIRMAN, POTTAWATOMIE COUNTY DEVELOPMENT AUTHORITY; LEROY BRYAN, SHAWNEE SOIL CONSERVATION DISTRICT; RANDY SWINSON, CITY MANAGER, TECUMSEH, OK; AND HARVEY BOLLINGER, EXECUTIVE DIRECTOR, REDARK DEVELOPMENT AUTHORITY AND THE EAST CENTRAL WATER ASSOCIATION

Senator BOREN. With me, Mr. Chairman, is the Mayor of Shawnee, Oklahoma, Mr. Pierre Taron; Dr. Joe Taron, who is the Chairman of the Pottowatomie County Development Authority.

Senator MOYNIHAN. There are a lot of Tarons in that territory.

Senator BOREN. The Tarons are taking over Pottowatomie County.

Mr. Leroy Bryan, the past Chairman of the Shawnee Soil Conservation District; Mr. Randy Swinson, the City Manager of Tecumseh, Oklahoma; and Mr. Harvey Bollinger, the Executive Director

of RedArk Development Authority and the East Central Water Association.

I might say, Mr. Chairman, the presence of all of these gentlemen here with me is an indication of the kind of broad based community support from the County, the Soil Conservation District, the Development District, as well as the two major communities that are impacted by this project. There is a very, very strong, virtually unanimous support for this project and an urgent need for it.

I would like to thank you for calling this hearing to consider the authorization of the North Deer Creek Project.

This project will provide for a multipurpose structure that will provide much needed flood control and also create an additional municipal, industrial and recreational water supply.

As I stated in a letter to Chairman Burdick in April, under normal circumstances, the City of Shawnee, Oklahoma, faces a shortage of over 1 million gallons of water per day. Only unusually heavy rainfall over the past couple of years has averted the need to implement water rationing.

The total project cost is $15 million. The communities represented here today are requesting that only one-fifth, $3 million out of the $15 million of the total project cost come from Federal sources. The other entities involved already have raised, and they are prepared to commit to the project the upfront financing for the rest.

The City of Shawnee, for example, has already passed a $3 million bond issue to provide for the portion of their share of the project costs.

The North Deer Creek Project has the support of community leaders throughout the county, as I have indicated, and all of these communities have raised the necessary funds.

The impact of this project will be immediate and I hope that your subcommittee and the Full Committee on Environment and Public Works will authorize this project under the Pub. L. 83-566 program.

Let me say it is an example of the kind of project that I think is a very successful one, where a relatively small amount of Federal dollars, a very small Federal share, is used here to leverage a project that will be of immense benefit to this entire area in Central Oklahoma. It is a growing area. It is approximately 35 miles to the southeast of Oklahoma City, one of the faster growing areas in our state, and the need there really is urgent for this kind of development.

It has already been approved, I might say, on the House side, and so the only remaining step to be taken is approval here, so that we might be able to move forward.

Senator MOYNIHAN. Senator, you appear both as the distinguished senior Senator from Oklahoma, but a not less distinguished former Governor, and what you think about a matter is of very considerable consequence to this committee.

I do note that there are no opponents who have asked to appear. That speaks well.

Mr. Bryan of the Soil Conservation Service will appear, as I understand, in support.

You are short a million gallons of water a day, Mr. Mayor?

Mayor TARON. That is correct.

Senator MOYNIHAN. You are short of rainmakers.

Mayor TARON. The excessive rainfall lately has been our saving grace. We have been getting along on the proverbial wing and a prayer in the rain.

Senator MOYNIHAN. This project will have, basically, the effect of preserving water for periods when you don't have it. That is the elementary purpose.

Mayor TARON. That is correct, sir, along with the flood control.

Senator MOYNIHAN. You do have too much rain from time to time.

Mayor TARON. That is correct.

Senator MOYNIHAN. Areas like that are particularly vulnerable to heavy rain, because you don't have the ground cover that will hold it back as you do, say, in Oregon.

Mayor TARON. We have too many asphalt roofs and too much concrete on the surface. The water all comes at us at one time.

Senator MOYNIHAN. I think I know the terrain very well and I am always sympathetic. I don't know what you are to do about your 50-year problems.

Do you drill? You must drill for water.

Mayor TARON. We have drilled, yes. We are not in an area of sufficient groundwater.

Senator MOYNIHAN. You can't even get it by drilling?

Senator BOREN. That has been a problem in some of that area in that some of our freshwater sands have also been subject to past pollution over the years, because of a lot of oilfield activity back in the early years, before we had the plugging requirements.

Senator MOYNIHAN. Let that be recorded what the Senator from Oklahoma said. You spoil that well and it is spoilt. When you are drinking from one well, you had better be careful what you let get into it.

Senator BOREN. That is exactly right.

Senator MOYNIHAN. We have two counties on Long Island, which is Nassau and Suffolk, together they have about the population of the Great Plains, but they drink from one well. When the water they drink fell as rain 50 years ago, and they are putting stuff on their lawns and on their fields that never meant to be in a well, and if that ever turns—it is all sole-source aquifer—it it ever turns, abandon the site.

The purpose here seems to me exemplary.

Mr. Mayor, it was very thoughtful of you to come forward.

Senator BOREN. I might add, Mr. Chairman, I do have a statement, also, from Senator Nickles in support of this project that I would like to have placed in the record.

Senator MOYNIHAN. It will be placed in the record.

Senator BOREN. I wonder if Dr. Joe Taron might have a comment, or the city manager who is with us, Mr. Swinson, from Tecumseh, or if any of you others might have a comment?

Mr. TARON. Thank you, Senator Boren and Senator Moynihan.

I am Chairman of the Pottawatomie County Development Authority that is charged with constructing this reservoir along with the Soil Conservation Service in three different counties, Pottawa-

tomie County, Oklahoma County and Cleveland County. We will back waters into these three areas.

I would like to point out something that started here. The groundwater according to the Bureau of Reclamation study being done at the request of the East Central Water Association, I can quote, that they tell us that the quality and the quantity of water is deteriorating rapidly in our area, and that we must look to surface water to provide municipal and industrial water in the future.

This, to me, is very significant, and it is both manmade and things we don't have control of as far as the contaminates in the water.

Senator BOREN. I believe, Mr. Bollinger, who is with the RedArk Development Authority might like to make a brief comment, too, Mr. Chairman?

Senator MOYNIHAN. Yes, Mr. Bollinger.

Mr. BOLLINGER. Yes, Senator. Actually, today I am representing the East Central Water Association, which is a voluntary group of citizens banded together from the five county area in this vicinity, including the particular county of Pottawatomie County.

This association is very interested in works towards the development of water and other natural resource projects in the five county area, and it is important from the association's standpoint, at our last annual meeting in March of this year, they consider this the number one project for the area. It is an extremely important project, not only from the water supply standpoint, but from the many multipurposes of the activity.

We in Oklahoma have had a long history in the conservation and development programs, the first P.L. 566 project in the Nation was in Oklahoma. We very strongly support these.

In addition to feeling that this is probably the most important P.L. 566 program in the State, this particular project, we also feel that of any of the other water projects, it is extremely important.

I think this is, again, as Senator Boren has pointed out, if we as a nation are serious about developing our water resources, which we consider at East Central Water Association to be our most valuable natural resource our water, if we are serious about the P.L. 566 program playing a major mission in developing that resource, then, I think, really when you look at a project of this nature, one that uses very little—about 20 percent Federal funds, has again the upfront financing from the local areas already committed, that all of the equations are there.

If we are really serious about these other two things, there can be really only one answer to this project, and that is that we move the project forward, and we would ask that that be done.

We appreciate your consideration.

Senator MOYNIHAN. We take that counsel with great seriousness.

Senator BOREN. Mr. Chairman, if I might, not to impose on your time, but I would like to ask Mr. Swinson, the City Manager from Tecumseh, if he might also make a brief comment about this project.

Mr. SWINSON. Senator Moynihan, it is my pleasure to testify today on behalf of the citizens of Tecumseh, Oklahoma.

Tecumseh, Oklahoma, is a small community just south of Shawnee, Oklahoma, and south and east of this proposed project. We are

in basically the same situation as Shawnee is that for long-term water source there are not any in the central Oklahoma area.

We have proposed and have committed our resources in looking into water for the future. If our area is going to grow, we will need that water. We also are committed to providing a flood prevention program along the north Canadian or the North Deer Creek Project. We have committed in looking into long-term and short-term water.

In short-term water, we have drilled some wells just to get by until we can commit to a long-term project.

On behalf of the citizens of Tecumseh and the Tecumseh and Pottawatomie County areas, we would like your favorable consideration for this project.

Senator MOYNIHAN. Sir, you have an advocate in Senator Boren and Senator Nickles that have been known to be very persuasive in this institution.

Have we heard from Mr. Bryan?

Mr. BRYAN. Senator, I am from the Shawnee Soil Conservation District. In 1977, January, we were asked to be a sponsor of this project, and we have been working with them. We have had public meetings at McLoud, Shawnee and Tecumseh over a period of years.

At the Dale exit of Interstate 40, the water in 1983 backed out. This would be below where the dam would be built. I backed out on the Interstate and washed out quite a bit of the Interstate.

Senator MOYNIHAN. That sort of happens when you have too much concrete and asphalt roofs, and the ground cover is not what it might be and the case is very well made.

Senator BOREN. Mr. Chairman, I would say one other thing, that this county, where the the project will be located, is the county next to my home county. I pass through this area everytime I go home, and I am afraid, after all this local effort and input and the unanimous support of the civic leaders in that area, that I may have to take you down there with me to explain why the roads are washed out and the water is not available, if we are not able to get this done.

But, in all seriousness, I have watched this project very closely and it is in, of course, the area of the state which I have great familiarity and there really is a very strong genuine need.

Senator MOYNIHAN. Senator, the case is thoroughly documented, will be supported by the Soil Conservation service, and while I cannot speak for the committee, I can offer you the judgment that we will have this on the calendar in very short order.

We thank you very much for coming here, and you couldn't be more generous, more explicit. We have the judgment of people who have been there since 1977, when you began this enterprise. Ten years is long enough to get a project going.

Senator BOREN. Thank you, Mr. Chairman.

[Senator Nickles' statement and other material relative to this project follow:]

Don Nickles

Statement of Senator Don Nickles

Senate Environment and Public Works Committee

North Deer Creek Watershed Project

Mr. Chairman, it is my pleasure to come before the committee today and urge prompt action on an important development for east central Oklahoma, the North Deer Creek Watershed project. This Soil Conservation Service watershed program would provide important flood control, water supply, and recreational benefits crucial to the area.

This plan, which has been approved by the Secretary of Agriculture and the Office of Management and Budget, carries with it a total price tag of $15,091,210, nearly $12 million of which will be provided from non-Federal funds raised locally. The request is simply that the remaining $3,223,680 be provided from funds authorized under the Watershed Protection and Flood Prevention Act, and that this project be established as a top priority within the State of Oklahoma.

Mr. Chairman, I am also pleased to join Senator Boren in introducing the Oklahomans who will be testifying in support of the Watershed program. Appearing before the committee will be Dr. Joe Taron, Chairman of the Pottawatomie County Development Authority; Randy Swenson, Mayor of Tecumseh, Oklahoma; and Leroy Bryan, representing the Shawnee Soil Conservation District.

As these individuals will explain, there is strong local support for the North Deer Creek project. This support is demonstrated by the financial commitments they are prepared to make and by the time and effort previously expended. Further evidence of support for the program is outlined in correspondence I am submitting for the record.

Mr. Chairman, we appreciate the opportunity to help move the North Deer Creek plan forward and urge its prompt approval by the committee.

DAVID BOREN
OKLAHOMA
Russell Building
Washington, DC 20510
621 North Robinson
Oklahoma City, OK 73102
440 South Houston
Tulsa, OK 74127
Municipal Building
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United States Senate

WASHINGTON, DC 20510

COMMITTEE ON FINANCE
COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY
COMMITTEE ON SMALL BUSINESS
SELECT COMMITTEE ON INTELLIGENCE

April 9, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, D.C. 20510

Dear Quentin:

We are writing to ask you assistance in obtaining final approval of the North Deer Creek Watershed Plan. This project was approved by the House Committee on Public Works during the last days of the 99th Congress. It is our hope that your committee will be able to approve this much needed water project for central Oklahoma.

The development of this project will supply the immediate water supply needs of numerous communities in central Oklahoma. As an example, the City of Shawnee has a current dependable yield of 3,000,000 gallons of water per day with an average demand of 4,000,000 gallons per day. In the last three years due to unusually heavy rainfall the City of Shawnee has not had to ration water. However, under normal circumstances the City faces a shortage of over 1,000,000 gallons of water per day. The most reasonable solution to this growing problem of water supply in central Oklahoma is the Deer Creek Reservoir Project.

We are asking your help in scheduling hearings on this project as soon as possible. The residents of this area have already raised over $3,000,000 for the construction of the Deer Creek project. With your help we can bring this project to a swift completion.

Sincerely,

Don Nickles
United States Senate

David L. Boren
United States Senate

Encl.

Pott. County
Development Authority

P. O. BOX 3556
SHAWNEE, OKLAHOMA 74802-3556

PHONE (405) 273-8064

October 23, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environment
and Public Works
The United States Senate
Washington, DC 20510-6175

Dear Senator Burdick:

I would like to take this opportunity to express my gratitude to you and your committee for allowing us to come before you and testify on behalf of the North Deek Creek Watershed Project.

As has been stated in many of the other letters you have received, the need for and the benefits of this project are numerous. My concern is principally from a municipal water supply standpoint. The only water available to the rural constituancy in this county comes from gound water. According to the 1986 Burueau of Reclamation water study for the East Centeral Water Association, "Oklahomans locally suffer from water problems brought about by either an inadequate water supply or contamination, either natural or man made."

As chairman of a public trust, charged with addressing this problem, I have been working on this project for over 10 years, thus I am sure you can appreciate my anxiety in coming before you, and my anticipation in seeing this project come to fruition.

Once again may I express my appreciation to you for allowing us to come before you and state our cause.

Sincerely

Joe E. Taron
Chairman
Pottawatomie County
Development Authority

JT/jw

cc: Senator David L. Boren
Senator Don Nickles
Rep. Wes Watkins

Mayor
Pierre F. Tabon

Commissioners
Dr. Robert J. Barnard
Ruben E. Wilson
Isaac E. Brannon
Raymond K. Atkinson, Jr.
Robert M. Pettyjohn
Cecil E. Johnston

THE CITY OF SHAWNEE
P. O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 273-1250

April 2, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environment
and Public Works
Room 511 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Burdick:

This community, along with surrounding political subdivisions, have been working for many years in an attempt to get a water project constructed in our area which is critical to our continued survival. The Deer Creek Project is unique in that the participants in the Project are not asking for the Federal government to grant but very little of the money in our behalf. The users of the water from the Project will ultimately pay for most of the Project costs. Although we have had good success in our efforts to get this Project done we now find ourselves at a point where we are desparate. We ask for your help in getting our Project favorably approved by your Committee on Environment and Public Works where it has been for some time now.

As a Senator from a great Western state, you can appreciate the critical need for flood control, municipal and industrial water supply, and recreation. The economy of our Western states is in shambles as a result of the agriculture and oil policies of this country. In a very real way, this is one way for us to insure our survival.

As you can see from the attached copy, our Oklahoma delegation to the Senate is in agreement with us that this Project is of great importance to this area.

April 2, 1987

Your cooperation in moving this Bill through your important Committee will be appreciated by all of us in this part of Oklahoma.

Sincerely,

Pierre F. Taron
Mayor

cc: Senator Don Nickles
Senator David L. Boren
PCDA
Congressman Wes Watkins

Encl: Boren/Nickles ltr 10/2/86

United States Senate
WASHINGTON, DC 20510

LABOR AND HUMAN RESOURCES
SMALL BUSINESS

October 2, 1986

The Honorable Robert T. Stafford, Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Bob:

Although time is short, it is our hope the Senate Committee on Environment and Public Works can approve the North Deer Creek Watershed Plan prior to adjournment of the 99th Congress.

As you know, the House Committee on Public Works and Transportation recently approved this important Oklahoma project. Prompt action by your committee can clear the way for eventual funding and construction.

With this in mind, your assistance in scheduling timely action on the North Deer Creek Watershed Plan will be greatly appreciated.

Sincerely,

DAVID L. BOREN
U.S. Senator

DON NICKLES
U.S. Senator

215 Dean McGee Avenue
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P. O. BOX 1448
SHAWNEE, OKLAHOMA 74802-1448
(405) 273-1250

October 20, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environment
and Public Works
The United States Senate
Washington, DC 20510-6175

Dear Senator Burdick:

The City of Shawnee is in full support of the North Deer Creek Soil Conservation Flood Control Project.

The North Deer Creek Reservoir will be primarily a flood control project and will directly benefit many of the residents of the City of Shawnee and the immediate area surrounding Shawnee. The North Deer Creek is a tributary of the North Canadian River and is located approximately 11 miles upstream from Shawnee.

We have suffered severe flooding in two subdivisions of the City of Shawnee. The residents of Granger and Brooks Additions have been driven from their homes by floodwaters four times in the past five years. The construction of the North Deer Creek Reservoir will help to relieve this flooding situation. Many of our farmers along the North Canadian River have also suffered tremendous damages from floodwaters with the same frequency our Shawnee residents have been flooded.

It is our feeling that this project will be most beneficial to everyone living along the North Canadian Watershed downstream from North Deer Creek. This, of course, will be a multipurpose reservoir and will supply municipal and industrial water for the City of Shawnee and the residents of Pottawatomie County. The City of Shawnee is a financial sponsor of the project and the governing body of the City of Shawnee has pledged its support. The recreational benefits from this reservoir will be a definite benefit toward the economic recovery of the Shawnee and Pottawatomie County area.

October 20, 1987

Our local economy has declined substantially over the past five years with the wind down in the energy industry and the problems that have been prevalent in the agricultural areas. Our State leaders have determined that diversification is the answer to our economic problems in the State of Oklahoma and we feel that the construction of this reservoir is a big step in that direction.

We, of the governing body of the City of Shawnee, respectfully request your positive consideration of this project.

Thank you for permitting us to submit our testimony.

Sincerely yours,

Pierre F. Taron
Mayor

cc:
Senator Daniel Patrick Moynihan
Senator David L. Boren
Senator Don Nickles
Mr. Harvey Bollinger, RedArk
Testimony File

PFT/at

Shawnee Conservation District

Room 109 - Federal Building
SHAWNEE, OKLAHOMA 74801

October 23, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environmental
and Public Works
United States Senate
Washington, D.C. 20510-1675

Dear Senator Burdick:

One of the primary concerns of Conservation Districts is to protect land from erosion in the most efficient and effective way available.

For years the Shawnee Conservation District has assisted farmers and landowners in building small erosion control structures, and the revegetation of highly eroded land, which has reduced soil loss across the district. However, rarely does a District have the opportunity to participate in one single program which would benefit so many. The proposed North Deer Creek Reservoir is such a project. This project would drastically reduce soil erosion, sediment deposits, and the flooding of some of the most productive farmland in the area. In fact, the project will actually increase the number of acres of prime farmland.

Our District asks your support in the funding of this project as the economic benefits are far-ranging. Not only will it provide protection for prime farmland; reduce crop losses, rill erosion, sediment deposits, and soil loss, but will protect the community of Dale (and their school) from flooding. North Deer creek empties into the North Canadian River and because of this, cities such as Shawnee, and rural communities located downstream, are affected by excessive runoff from this Watershed.

The economic benefits of this project are many; protection of not only our prime farmlands, but urban developments, schools, public highways, and it will provide a source of highly potable water for the residents of our District.

For these reasons the Shawnee Conservation District respectfully requests your support of the North Deer Creek Watershed Project.

Sincerely,

Harold V. Miller

Dr. Harold V. Miller
Chairman, Board of Directors
Shawnee Conservation District

Phone 405-598-2188

The City of Tecumseh

114 N. BROADWAY, TECUMSEH, OKLAHOMA 74873

October 22, 1987

The Honorable Quentin N. Burdick
Chairman, Committee on Environment
and Public Works
Room 511, Hart Senate Office Building
Washington, D.C. 20510-6175

Dear Senator Burdick:

The City of Tecumseh and several other communities in Pottawatomie County are in full support of the North Deer Creek Flood Control Project. We appreciate the opportunity to testify before the committee on Environment and Public Works.

North Deer Creek Project has been in the planning stages for over ten (10) years. This project will offer to Central Oklahoma a multitude of uses including: flood control, municipal and industrial water supply, wildlife mitigation, and recreation. Users of the water from the project will ultimately pay for the majority of the project costs. The City of Tecumseh is one of the users which has committed to 25 percent of the available water.

We, in Central Oklahoma are still experiencing difficult times with the downturn of our economy. With the help of this project it will assure this area of flood control and potential growth which is desperately needed.

We greatly appreciate your interest in this project and Thank You for letting the City of Tecumseh testify.

Sincerely,

Mayor David Qualls

DJQ:jt

cc: Senator David L. Boren
Senator Don Nickles
Congressman Wes Watkins
PCDA Chairman Dr. Joe Taron

RESOLUTION NO. 1092

A RESOLUTION OF THE TOWN OF McLOUD, OKLAHOMA SUPPORTING THE NORTH DEER CREEK RESERVOIR PROJECT.

WHEREAS, with development in the rural areas growing, the Town of McLoud sees the ever increasing need for water in the suburban and rural areas of Oklahoma; and

WHEREAS, the Town of McLoud relies on ground water to service the residents of this municipality; and

WHEREAS, several communities in this portion of Oklahoma are experiencing problems in the purity of the ground water serving their residents; and

WHEREAS, the water made available through the construction of the North Deer Creek Reservoir would benefit a large area in the northwest portion of Pottawatomie County; and

WHEREAS, the probable economic development which would be brought to the McLoud area as a result of having the needed water in our area would greatly benefit McLoud;

NOW THEREFORE, BE IT RESOLVED that the TOWN of McLOUD hereby supports the NORTH DEER CREEK RESERVOIR PROJECT.

ADOPTED this 22nd day of October, 1987 by the Town Board of Trustees of the Town of McLoud.

Virginia Wasson
Board of Trustees
Acting Chairman

Attest:

Christina Polach
Town Clerk

East Central Water Association
P.O. Box 1650 • McAlester, OK 74502 • (918) 426-1879

EAST CENTRAL WATER ASSOCIATION TESTIMONY

The East Central Water Association is a voluntary group of citizens banded together in the interest of supporting water development projects and other natural resources development in the east central counties of Oklahoma. The ECWA promotes the orderly development of the area water and natural resources to advance the economic development and future wellbeing of the citizens of the five-county area. These Oklahoma counties are: Coal, Hughes, Pontotoc, Pottawatomie and Seminole.

The five counties which comprise the East Central area have a combined population as in the 1980 census of approximately 134,000 people. This five-county area is the most rapidly growing area in southeastern Oklahoma. It is an area which is not only experiencing significant population growth but also major expansion in the manufacturing and industrial sectors. Cities in these east central counties, such as Ada, Shawnee, Tecumseh, Seminole, Wewoka, Coalgate and Holdenville are in extreme need of an adequate municipal and industrial water supply.

However, at this time, there are no existing, under construction or authorized Corps of Engineers or Bureau of Reclamation lakes within the east central area. In fact, there are not any lakes which have a significant water supply storage capability within the area. Water rationing has been an regular occurrence over the past several summers for nearly all the communities within this area.

This critical need for future water supply is clearly demonstrated by the competition for the municipal and industrial water supply storge to be provided by the proposed Parker Lake located in the northern part of Coal County. Although construction of this lake has not even been started, applications for water rights already exceed by 10 times the amount of water which will be available from the lake.

The East Central Water Association, at its annual meeting (21 March 1987 - Ada, Oklahoma), adopted the following resolutions (A through C) and hereby ask that this subcommittee consider the request of each. Enclosed immediately following the above mentioned resolutions are resolutions adopted last year by the governing bodies of several of the communities in the area in support of Parker Lake. Also are letters from area officials in support of the North Deer Creek project which has been authorized by the House and is pending authorization in the Senate. The membership and area represented by the East Central Water Association thanks you for your attention and the opportunity to testify before this subcommittee.

RESOLUTION A

NORTH DEER CREEK WATERSHED

WHEREAS, the Soil Conservation Service (SCS) has completed the Watershed Plan and Environmental Impact Statement for the North Deer Creek Watershed; and,

WHEREAS, said plan consists of the the following project measures: (1) multipurpose structure for retarding flood water and for municipal, industrial and recreation water storage; (2) recreation facilities; and (3) mitigation measures, AND FURTHERMORE the total project cost is estimated to be $15,091,210 of which $3,223,680 will be provided from PL 83-566 funds and the remaining $11,867,530 from other funds, AND FURTHERMORE the project has a benefit-cost ratio of 1.06:1; and,

WHEREAS, the Cleveland County Conservation District, Oklahoma County Conservation District, Shawnee Conservation District and Pottawatomie County Development Authority, as local sponsors, have agreed to the plan and proposed cost sharing agreements; and,

WHEREAS, this plan has been approved by the Secretary of Agriculture and the Office of Management and Budget (OMB); AND FURTHERMORE, the House Committee on Public Works and Transportation has authorized the project.

NOW THEREFORE BE IT RESOLVED, the East Central Water Association (ECWA) strongly supports this project and requests the Senate Committee on Environment and Public Works to authorize the project; AND BE IT FURTHER RESOLVED, the ECWA requests OMB to approve this project as a new construction start in 1988 and BE IT FURTHER RESOLVED that the ECWA requests the HOUSE AND SENATE APPROPRIATIONS COMMITTEES to include sufficient funds to construct this project in the 1988 appropriations for the PL 83-566 program; AND BE IT FURTHER RESOLVED the ECWA requests the Washington office of the USDA-SCS to apportion sufficient funds for said project to Oklahoma and that the Oklahoma State Office of the USDA-SCS establish this as its first priority for PL 83-566 funds within the State of Oklahoma in order for construction of the North Deer Creek Watershed to begin as soon as possible.

Senator MOYNIHAN. Senator Gramm and Representative Leath, we have learned that your colleague, Senator Bentsen, can't come. In any event, you have been cordial in waiting as long as you have done.

If you would come forward and give us the case for Big Creek, Texas, which is a little more under dispute.

Mr. Leath, we especially welcome you, sir.

I have a statement from Mr. Bentsen, which I will place in the record at this point, and you may proceed as you like.

[Senator Bentsen's statement follows:]

Statement

of the

Honorable Lloyd Bentsen

Before The

Subcommittee on Water Resources, Transportation

and Infrastructure

of the Committee on Environment & Public Works

Tuesday, October 27, 1987

MR. CHAIRMAN, I am pleased to appeal to you today to support the Big Creek Watershed project. As you know, it is a Soil Conservation project in the Tri-County area of Falls, Limestone, and McLennan, Texas. It was approved last year by the House Committee on Public Works & Transportation. The primary voice in the House for this project was my good friend, Representative Marvin Leath of the 11th Congressional District of Texas. It is supported by the Administration.

The watershed project itself covers 236,620 acres in the Tri-County area. That area of central Texas is largely agricultural. It experiences severe flooding, which, in turn, results in soil erosion and other damage to crops, roads, and bridges. Average annual damage estimates exceed $2.2 million. The project installation is expected to take about 9 years.

Mr. Chairman, I see no need to catalog in great detail all of the virtues of this project. The testimonial submission of the Soil Conservation Service will do that. It will tell you that this project is long overdue. That the planned project measures will alleviate flooding in the area significantly. That this project will provide a much needed water supply to the City of Marlin for a period of over 40 years. That the project will result in a water based public recreation development for boating, swimming, fishing, and other water sports.

In short, Mr. Chairman, it will illustrate the pressing need of my constituents in Marlin, Texas. Fortunately, some of them are here today to express their views on the urgency of the Big Creek watershed. Some of them have labored long and hard to bring this project to fruition. I am sure that you will listen very intently to what they have to say because this project is important to their community and to me. Sometimes we forget about the smaller communities and their contribution to our national life. Well, this is our opportunity to hear from a segment of rural America, and to do something to help them meet some of their needs.

Mr. Chairman, I would be remiss if I did not acknowledge that this project has some opposition. Some of its opponents are here today. As you know Mr. Chairman, months ago when I asked you to hold this hearing, I insisted -- and you would have it no other way -- that it be a forum in which all could air their views. I hope, too, that the Soil Conservation Service will listen to them. Perhaps some accommodation can be made to alleviate some of their concerns.

On the whole though, Mr. Chairman, this project's benefits outweigh by a healthy margin its defects. The local sponsors in the area support Big Creek because it reduces flooding, adds to the area's economic development potential, improves agricultural uses of the land, and brings some stability to the community. These are important things. That is why I join my constituents in urging your approval of the project.

Mr. Chairman, I appreciate the opportunity to express my views, and your willingness to listen to them today.

STATEMENT OF HON. PHIL GRAMM,, U.S. SENATOR FROM THE STATE OF TEXAS

Senator GRAMM. Mr. Chairman, let me first say that I appreciate having the opportunity to be here. I am sorry that Senator Bentsen is caught up in other business. I wanted to let you know that we have a strong base of bipartisan support for the Big Creek Watershed Project.

This project has been a long time in the making. It is a project that basically deals with flood control, water supply, and economic development. It is trying to allow us to bring a drainage area under control,to impound water, to generate a base for economic development. It is vitally important to central Texas, and I wanted to let you know that I strongly support it.

Senator MOYNIHAN. This is on the Brazos, not watershed.

Senator GRAMM. That is in the Brazos River Watershed.

Senator MOYNIHAN. It is not a simple project; is it?

Senator GRAMM. It is a fairly elaborate project in terms of the different restraining areas and dams that are necessary to bring a flooding problem, which annually does about $2 million worth of damage, under control.

It is not one reservior, in terms of dealing with the watershed. It is a whole series of holding ponds and areas where we are trying to gain control of the water, hold it, and then use it for basically industrialization, Mr. Chairman.

Senator MOYNIHAN. That pattern of flooding, even in arid regions, is increasingly common, both in the middle of the United States and around the world. When you get deforestation, it is a different thing there.

Mr. Leath, we welcome you to this committee, sir, to hear the Democratic side of this case.

STATEMENT OF HON. MARVIN LEATH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS, ACCOMPANIED BY CARROLL MINOR, PRESIDENT, FIRST STATE BANK OF MARLIN, TX; HARRY KENNY, ON BEHALF OF HAROLD UNDERWOOD, MARLIN CITY MANAGER; GEORGE WILSON; AND LOUIS CRENSHAW

Congressman LEATH. Mr. Chairman, thank you.

I am delighted to be here and thank my colleague from Texas, Senator Gramm and, of course, Senator Bentsen for supporting this project.

Mr. Chairman, this project is not only located in my district, it is located in my home county and it is located in my hometown.

Senator MOYNIHAN. Which is that, if I can ask?

Congressman LEATH. Falls County.

Senator MOYNIHAN. What is that hometown?

Congressman LEATH. Marlin, Texas.

The people that I bring here today, Mr. Chairman, to visit with you about this, and we will ask them to join us up here at the table now, are Carroll Minor, who is the President of the First State Bank and President of the School Board in Marlin. Harry Kenny, who is on the City Council in Marlin and they are also accompa-

nied by two other very dear friends, Louis Crenshaw and George Wilson.

I am introducing to you today, Mr. Chairman, not only constituents, but long time neighbors and friends who have come to support this project.

As Senator Gramm told you, this is somewhat of an unusual project, in that you would almost have to see it after a four inch rain up in McLennan and Limestone Counties as to what actually happens down in Falls County, but I have literally driven down Highway 6 toward Senator Gramm's home of Bryan's College Station after we had received a three or four inch rain on that watershed, and literally seeing water as wide as three to four miles through that bottom as you approach the Brazos Riverbottom itself.

There is absolutely no question about the devastating damage that is done. One of the reasons it has taken so long is that it is a very complicated project, as Senator Gramm says. There is no one place that you can dam this thing up and catch all the water, so you have to catch it as it comes down the watershed, and then the culmination is the lake that we are talking about, which has become increasingly important to the City of Marlin as a source of water.

Senator MOYNIHAN. Marlin City Lake over here to the northeast.

Congressman LEATH. That city lake will not furnish nearly enough water for the city at this point. For years, they have had to pump water, saline water, out of the Brazos River almost every summer.

What this new lake will do is to provide additional freshwater supply on a constant basis to the city.

Senator MOYNIHAN. Do you want to help me with that, because we are finding ourselves getting behind on water conservation and use practices.

May I first welcome you gentlemen to the committee and we are very happy to have you here.

You say you pump saline water out of the Brazos?

Congressman LEATH. We have the existing Marlin City Lake, which is the only source of freshwater for the city at this point. Obviously, when we go through a draught period of three, four, six months, it gets down to where there is no water in it, so many years ago, we installed an eight or ten inch line from the Brazos River, which is probably ten miles away from the city limits, where we could pump water out of the Brazos River into the lake.

Of course, one large problem with that is that up at the headwaters of the Brazos are salt flats, it is a program that my colleague, and predecessor, and dear friend, Bob Poage worked on for many years, called the desalinization of the Brazos River.

Senator MOYNIHAN. Are they natural salt flats?

Congressman LEATH. Yes, sir, they are natural salt flats.

Senator MOYNIHAN. They are natural, they didn't just result from the chemicals.

Congressman LEATH. No pollution, they are natural.

We have been quite successful down through the years in doing a pretty good job of desalinating that water as it comes in, but not totally. So, of course, what happens every time you have to pump

this lake full of that Brazos River water, it knocks out the hot water heaters. It knocks out the boilers. It does severe damage to the infrastructure of the water plant itself.

Senator MOYNIHAN. I see, you tried to use the saline water, separating it from drinking water.

Congressman LEATH. It is drinking water.

Senator MOYNIHAN. You can drink it. It is just a little bit more salt.

Congressman LEATH. We have to treat it.

Senator MOYNIHAN. You treat it. You actually treat it?

Congressman LEATH. Yes.

Even though, I think, we have justification for this Big Creek Project just based on soil conservation alone, the 32,000 or so acres that are devastated every time we get a sizable rain, what has become increasingly important, and even more so at this point in our economic history, is this additional water that will be provided for the City of Marlin in this largest of the lakes that will be built in the project.

Senator MOYNIHAN. You live in that very strange world of the arid regions, which is, you are alternately afflicted by draught and by flood.

Congressman LEATH. That is right.

Senator MOYNIHAN. On the other hand, you have the privilege of being Texans, so I suppose that makes up for it.

Senator GRAMM. Mr. Chairman, if I might add to that. When I first moved to College Station, I looked at the average annual rainfall and it looked very appealing, until you realize that it is not unusual for us to get a quarter or a third of our rain in one day, so when it rains it does flood, and it creates a tremendous problem when it does.

Even though the water that is taken out of the Brazos is first put into the holding pond, into the lake, and then pumped out, and obviously goes through the process of being purified, you still have a very high salt content when you do that, and so it creates a problem in your water heater and it means that your drinking water has a high salt content.

Senator MOYNIHAN. It has dietetic consequences.

Senator GRAMM. It is human as well as the water heater problem.

Senator MOYNIHAN. We don't get much sunshine in my part of New York. We get plenty of water, it rains all the time, well, the sun shines on occasion.

Mr. Minor, would you like to comment?

STATEMENT OF CARROLL MINOR, PRESIDENT, FIRST STATE BANK OF MARLIN, TX.

Mr. MINOR. Yes, Mr. Chairman.

My name is Carroll Minor and I have been a resident of Marlin and Falls County in Texas for the past 25 years. During that period of time, I have served as President of the First State Bank there.

Over those years, I have had good recognition of what the problems were that were generated as a result of the need for flood control in the Big Creek Watershed.

Let me say that each of our panel members appreciates the opportunity to come here today to speak to this project and hope that we can exhibit to you the need for the project, also, that we have good broad based community support for the project, and mostly we would like to inform you of the great needs of our area.

We come from an area that is economically depressed, and the opportunity for us to create new jobs in our community, to enter upon any type of industrial development is highly dependent upon our being able to improve our water supply.

Also, the recreational benefits that will be derived from this project are also much needed, because this type of recreational benefit for our people, the nearest point is probably 50 miles away. This would be important to us, too.

With me today, scheduled to speak, is Mr. Harry Kenny. He is appearing here today on behalf of Mr. Harold Underwood, our City Manager of Marlin. He will inform you why he had to act as substitute and we are encouraged by the reason that Mr. Underwood has to entertain a group from the Texas Department of Corrections, who are looking at our community.

Also, Mr. Wilson, Mr. George Wilson, is an Advisor Director to the Falls County Water Improvement Control District. He also is a landowner and has vast knowledge with regards to the problems generated by the flooding of this watershed.

Mr. Crenshaw here to my left has been involved in this effort since 1954.

The environmental impact study that I am sure your committee has a copy of will reflect recorded efforts to improve or develop some type of flood control for this watershed reach back to 1904.

The first organized activity came about 1912, when a formal group was brought together to try to develop some type of plan to develop flood control for the area.

Mr. Crenshaw was in attendance at a meeting that was held in Mart, which is our neighboring county, McLennan County, in which a part of this watershed lies, in 1954, and at that time, the present Big Creek Water Improvement Control District was formulated, and it is out of that effort that we are here today.

After that meeting, a group or a board of directors was elected, one from each of the counties, the tri-counties involved. Our particular representative was a gentleman by the name of Guy Garrett, Jr., who worked very diligently on this project until his death. It was through his leadership and that of the other members that we sought the assistance in 1954.

Senator MOYNIHAN. Mr. Minor, if you would let me just interrupt.

Senator Gramm has to be on the floor, and he was very courteous in arriving right on time and having to wait.

We appreciate your being here.

We can now continue at leisure, because the committee has plenty of time.

Mr. MINOR. I will try to make it brief, but I want to point out to you that as a result of this effort, the group sought the technical advise and assistance of the Soil Conservation Service, and it is through their leadership and their technical studies, their feasibili-

ty studies, their engineering that this project has been brought to the point that it is today.

Mr. Kenny will address some of the areas concerning one particular structure in the project.

Senator MOYNIHAN. We will turn to Mr. Kenny.

Congressman Leath, if you have to leave, we will understand.

Congressman LEATH. Thank you, Mr. Chairman.

I may have to leave shortly, but let me, right before Harry speaks, make just one comment about the human part of this thing that the Senator from New York is extremely sensitive in, as I am.

Picture, if you will, Senator, a rural county with an almost totally agriculture-based economy, with a population of 13,000 to 14,000. The City of Marlin with a population of less than 7,000, 60 percent minority.

In this little town, as a result of the devastation that we have had in the agriculture economy and the Texas economy in general, today has over 60 percent of the retail business down the main street of the community already closed.

We are entertaining at this time, as Mr. Minor pointed out, a Department of Corrections facility that Marlin is a top front-runner for that will employ about 700 people.

One of the great concerns that the State has had is the water supply, so the imminent approval of this project is important.

Another is a yarn mill which would accompany a carpet mill, which we were able to get built in Marlin in 1969, which subsequently went bankrupt in the housing depression we suffered, has since been repurchased and reopened and is now on the upswing. So, it is important from the human standpoint of jobs and so forth, and I wanted to get that in before I did have to leave.

Senator MOYNIHAN. I am very glad you did.

Mr. Kenny?

STATEMENT OF HARRY KENNY, ON BEHALF OF HAROLD UNDERWOOD, CITY MANAGER, MARLIN, TX

Mr. KENNY. Thank you, Mr. Chairman.

Most of the points I had have already been mentioned, so I will be very brief.

Senator MOYNIHAN. Take your time, you have come all the way from Texas.

Mr. KENNY. I appreciate that, sir.

The City of Marlin is a small town in central Texas, located right south of Waco. The Big Creek Watershed Project is probably our salvation for our water needs for the next 25 years that we have been able to come up with.

I have been, like Mr. Minor, living in Marlin and have raised my family in Marlin for the last 25 years. The present yield of our water is about 750,000 gallons a day is all that we can produce, without having to pump the water from the Brazos River, which really does taste lousy. It makes iced tea taste awful.

It is eight miles away. It is very costly, and plus the fact that the City of Marlin has to pay the Brazos River Authority for this water.

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Senator MOYNIHAN. It is unnatural pumped water. Water is supposed to flow to you.

Mr. KENNY. That is right, sir, plus the fact that we have a problem when it is a drought situation when we need the water, of course, the river is low also. Back in 1984, we pumped 350 million gallons of water in about a six month period of time and at times during that period we could not pump because the water level of the river was too low.

We did not run out of water, thank goodness. The fathers of Marlin City had the foresight to enter into this agreement with the Brazos River Authority years ago, and we have the contract with them, and we will continue to keep it because it is an ace in the hole, and if we do get this prison system, which Mr. Underwood whose testimony I am giving right now is at this moment at the airport ready to welcome the Texas Department of Corrections people and the State Board of Prisons, which we are one of the top two out of the three candidates for this prison, which will give us a world of new jobs and everything else.

The only alternative that we have to get extra water for Marlin is a lake that has been just recently built, Lake Limestone, which is 35 miles east of us, and at a cost of $14.7 million, we can lay a waterline with pumping stations, and it is not on your map.

Senator MOYNIHAN. You cannot pump water.

Mr. KENNY. You can't pump water, right.

You are talking about another $460,000 just to maintain the pumps and the pipe during the year, plus the fact that we have to pay for the water by the acre foot. With 3,000 water customers, we just can't afford this, because there is no way that we can do that, so we will continue to pump out of the river until the Big Creek Watershed is approved, hopefully.

As was mentioned, the recreational facilities and the cost of this project is going to be borne by the City of Marlin, and because of the timing of when these dams, project 19 as you see on your map, which is where our water is going to come from is five years down the road. We are not going to be able to put up any funds until that time.

With the Texas Department of Corrections, the yarn mill and the lignite plant that is now under construction 20 miles south of us, we feel that with a new added ad valorem tax, a sales tax, revenue and the extra water hookups for sewage, that we will be able to cashflow this project without having a hardship on the City of Marlin.

If it is approved now, it will really be a real help to us.

Senator MOYNIHAN. I look at this map, and every other road has a little sign that says road floods.

Mr. KENNY. Yes, sir. Everything in there will be pretty well covered over there.

Senator MOYNIHAN. What is the Stranger community over there in the northeast?

Mr. KENNY. It is just an old community named Stranger, and there was evidently a stranger that came through town and he moved out, and they said "the stranger lives out there."

Senator MOYNIHAN. They don't want any strangers here in Marlin, so they move them off.

Mr. KENNY. Right next to Stranger there is Blue Ridge and in the evening you can see there is kind of a blue haze over the ridge out there, and they call that Blue Ridge and Stranger and they are right north and south of Highway 7, out east of town.

Senator MOYNIHAN. The President has officially viewed that as where air pollution comes from, that blue haze.

Mr. KENNY. This project is really critical to the survival to the City of Marlin and maybe our last chance to grow and to provide an attractive community environment.

I would urge you, sir, to please give this consideration, and your support. If there is any questions?

Senator MOYNIHAN. You are very thoughtful, Mr. Kenny, please make sure that Mr. Underwood knows that we understand how he feels.

Mr. KENNY. I have one other thing I need to do before we close. I have a resolution here in support of the Big Creek Tri-County Watershed from the City of Marlin and from the county, and there are 2,250 signatures in favor of this project, and I would like to give this and have it entered in the record.

Senator MOYNIHAN. I take it that is about half the adult population of the city.

Mr. KENNY. At least, yes, sir. We had everybody sign it and they were all in favor of it, and this is really a big thing for us and we need it very desperately, sir.

Thank you, sir, for your time.

Senator MOYNIHAN. We thank you.

I am going to make this part of the committee files. I will not ask that it be placed in the record, as this would be just a copy.

You have yourself a lot of citizens here.

Mr. KENNY. Mr. Chairman, just as a sidebar, Marlin is the home of the former Senator Tom Connelly. We have quite a great heritage.

Senator MOYNIHAN. Would either Mr. Crenshaw, or you, sir, would you like to speak.

Mr. CRENSHAW. They have covered it, sir.

Senator MOYNIHAN. Mr. Crenshaw, you have to say something, from 1954, I calculate 34 years you have been out there.

Mr. CRENSHAW. I would have nothing particularly to add that hasn't pretty well been covered, except to say that the farmers and landowners of land in this benefited area are assuming exclusively in Falls County the tax responsibility in order to accomplish this.

Senator MOYNIHAN. Thirty-four years speaks for itself. Anyone who will stay with an enterprise this long——

Mr. CRENSHAW. They have been long years, sir.

Senator MOYNIHAN. Congressman, we really do thank you for coming and bringing these distinguished citizens of your county and your hometown.

We have a panel in opposition, which we will want to hear.

I am very much impressed by this. This speaks as emphatically as one could do. We thank you, sir, very much, and gentlemen, it has been a pleasure to have you before this committee and we appreciate your very expert testimony.

Congressman LEATH. Thank you, Mr. Chairman.

Senator MOYNIHAN. We have a panel of citizens, Mr. Bill Rivers of Dallas, Mr. Jim Holmes of Mart, and Mr. Douglas Rand of Groesbeck, all of Texas.

If you gentlemen would come forward, or such as are here.

STATEMENT OF W. C. RIVERS, REPRESENTING THE SMALL FARMER AND LANDOWNER IN LIMESTONE AND McLENNAN COUNTIES, TX

Mr. RIVERS. I feel very much like David against Goliath and I appreciate the opportunity to express our opposition to the Big Creek Watershed Program.

Senator MOYNIHAN. When you say "our," sir, do you mean an organization.

Mr. RIVERS. I am representing the small farmer and landowner in Limestone and McLennan Counties, which are the counties that provide the watershed, and where the majority of the holding dams will be placed.

If I have your permission, I have a prepared statement I would like to read.

Senator MOYNIHAN. That is very thoughtful of you. You can place it in the record and speak naturally.

Mr. RIVERS. It is in my own handwriting and I doubt if you would want it for the record.

Senator MOYNIHAN. Then, you had best read it.

Mr. RIVERS. I believe that there are a number of reasons which are valid ones for opposing this project. Our primary reason for opposing this project is the obvious inequity in the plan development and implementation of the project.

Some of the other reasons are as follows: One, the Big Creek Watershed Project, if implemented, would benefit the City of Marlin and the farmers of Falls County, while the farmers in the adjoining counties of Limestone and McLennan will suffer substantial losses as a result of the project being completed. To me, this is a strange way to spend a tax dollar.

At flood stage, holding dams which have been referred to earlier, will inundate tillable farm area and permanently developed pasture acres on farms in Limestone and McLennan Counties, rendering these areas covered by water useless and non-productive, not only at the time that the land is covered by water, but on a permanent basis, or any planted crops or pasture area that is covered for an appreciable time will be reduced to an area that will soon be covered by the growth of cockleburs, bloodweeds and sunflowers and other useless weeds.

In our own personal case, a little farm that we own which is three miles north of Mart, at flood stage, water will cover approximately one-third of the tillable acreage of our farm. That is at flood stage, I will agree.

Many farmers will have their farms divided in two, or split by the backwaters, especially at flood stage, and after the water goes down to a lower level, when the area that is normally needing to be crossed over will become an impassable area that is filled with boggy, muddy, unuseable area. This will render access to the other side of their farms impossible.

On pages 13 through 16 on the environmental impact statement draft, photographs are shown to call attention that cottonfields were killed and other farmlands damaged in Falls County from Big Creek overflow.

Why wouldn't it be just as fair to resolve their problem of flooding by construction of a waterway or a lake in Falls County, rather than transposing their problems and losses to the farmers and landowners in Limestone and McLennan Counties.

The people in Falls County will be the ones benefiting, not the farmers or the landowners who are located in the upper drainage area. I believe it is going to be a problem.

Number two, the draft study on pages 17, 18 and 28, also indicate that one of the big benefits of the Big Creek Watershed Project would be to provide an additional water supply for the City of Marlin. That is well and good and I am for them on getting their water supply, however, I think to utilize the Soil Conservation project to provide this city water at the direct expense of the individually affected farmers in the adjacent counties is not fair.

In other words, if Marlin wants to have its water supply, that is fine,we are for them on that score, but why shouldn't they pursue the proper resources, for instance, the Brazos River Authority.

The third reason that I have is another questionable feature of the project, the payment for the land taken into the Big Creek Watershed Project. The areas shown on the map for the watershed project are labelled "Outline of Flood Water Damages," are considered to be the actual area that will be flooded. The little yellow lines in there, they say that is the damaged area in there.

This will compound the problem of inadequate compensation for the land that is taken from the landowners and the farmers, since the land paid will be far less than the amount rendered useless. This factor coupled with unrealistically low prices per acre that have been projected to be paid for the land in this project leads to further biting direct financial loss to the farmers and the landowners, whose land is being taken under the right of imminent domain. This combination of reasons further supports the inequity of the whole Big Creek project, in my opinion.

Number four, farmers in Limestone and McLennan Counties, like farmers in many other areas of the nation, are having a difficult time remaining solvent. This project certainly doesn't do anything to help their situation. It takes out of production land that is needed for farmers to try to balance their budget. These circumstances will further put pressure on, especially, the tenant farmer and the small landowner.

Number five, at a time when control of the national debt is considered one of our most pressing problems, it is not believed that the expense of this project is justified. Considering the past original estimates, it is believed that the costs have been underestimated.

Consequently, the cost will escalate, running costs much higher than currently planned estimates.

Senator MOYNIHAN. How high would you think they might get to be?

Mr. RIVERS. I believe that their figures, and this is the latest figure they have shown is something like $8 million, I would guess,

under present circumstances, it is going to be double that. That is my guess. I don't have any figures to back that up.

This project has been on the drawing board for about 30 years. I believe you just mentioned 34 years. A lot of things have changed during the interim period, mainly, increased cost. This, I submit, renders the project even more objectionable.

Number six, during the evolving process for the Big Creek Watershed Project, it had the support of both Limestone and McLennan Counties. Those are the two counties to the north, where the watershed for the Big Creek builds into. The Commissioner's courts in both of the counties, Limestone and McLennan County, have now officially gone on record withdrawing their support for the project.

The support by the adjoining two counties consisted primarily of maintenance and improvement of the holding dam structure sites. My question now concerns how and who will maintain these watershed structure sites. This creates another reason for uneasiness by the farmers and the landowners in the two counties that are affected the most, and, to the best of my knowledge, the problem thus far has not been addressed, much less resolved.

In summary, I would like to say that as we look back at what happened on Black Monday, last October the 19th, and then again yesterday, showing how the Stock Market has gone down, I think it represents a good comparison to what will happen to the affected farmers in this area of Limestone and McLennan Counties. The value of their property is going to drop when they come in and find that their land has been covered by water and a bunch of useless weeds have grown up instead.

Of course, the financial loss won't be as dramatic as the ones that we just saw on Black Monday, but the results will be comparable in financial loss, percentage-wise, to the farmers.

For the reasons I have just given, I earnestly request that the committee not approve the Big Creek Watershed Project.

Senator MOYNIHAN. Mr. Rivers, we thank you very much for coming all the way here.

You are recorded as being from Dallas, Texas, but do I take it you are really from Mart or thereby?

Mr. RIVERS. Yes, sir, both my wife and I grew up in a little town of Prairie Hill in Limestone County. We lived just recently five years in Mart and moved back to Dallas two years ago.

Senator MOYNIHAN. I see. That explains it.

Mr. RIVERS. We still have a little farm three miles north of Mart and it will be affected by the number one holding site dam.

Senator MOYNIHAN. The number one.

Mr. RIVERS. Yes, sir.

Senator MOYNIHAN. We thank you very much, sir. It was very thoughtful of you to come before the committee. It was very comprehensive testimony, and we see where the division of benefit is here.

Mr. RIVERS. Also, as a matter of record, in regards to this, there has been a file placed with signatures in opposition.

Senator MOYNIHAN. We are happy to receive that. You were saying there are signatures in opposition?

Mr. RIVERS. I believe that there were 30 copies furnished to the committee.

Senator MOYNIHAN. Yes, Mr. Watson's deposition, in the back.

Mr. RIVERS. Yes, sir.

Senator MOYNIHAN. I see in the back there. I didn't see the signatures there. We have the deposition from Mr. Murray Watson, Jr., Attorney-at-Law, of Waco, Texas.

Those signatures will be received and made part of the files of the committee, but again, I think, you will understand if I ask that only the written deposition be made part of the printed record. Anyone who wants to consult our files will see these signatures, and you will save a little money on printing.

Thank you very much.

[Statements submitted for the record follows]

Testimony of Carroll Minor

Before the

Senate Committee on Environment & Public Works

Subcommittee on Water Resources, Transportation & Infrastructure

October 27, 1987

on

The Big Creek (Tri-County) Watershed Plan

Mr. Chairman and Distinguished Members of the Committee: My name is Carroll Minor. I have been a resident of Falls County for twenty-five years during which period I have served as president of the First State Bank of Marlin. I believe that I am qualified to speak to the adverse economic impact that the flooding of Big Creek has had and continues to have in our area and of the vital importance of the Big Creek Watershed project. I have seen a number of crops lost, cattle drowned, and a decline in land values resulting from severe flooding. I have knowledge of some land owners who suffered complete financial failure as the result of flood damages. With the Big Creek project we finally have the opportunity to control this serious problem and bring about a long-awaited economic revival in the community.

History of the Big Creek Project

Efforts began as early as 1904 by the citizens of Falls, McLennan, and Limestone Counties of Texas to develop a plan to control flood waters of the Big Creek watershed to achieve flood control, soil conservation and improved productivity of the 32,000 acres affected by the flood plain.

Records reflect that in 1912 the Big Creek Drainage and Levee Project was organized by a group of land users to consider ways to control the flood problem. Very little organized effort existed for a number of years subsequent to that time although a Work Program Administration (WPA) project was initiated in the mid-1930's to clear brush along the channel to aid in flood control.

Early in 1954 a meeting was held in Mart, McLennan County, Texas, to create an organization for the purpose of formally pursuing a means of attaining flood control for the watershed. The meeting was called through the efforts of Steve Collins of Mart and Russell Holder of Midway located in Limestone County, Texas. The organization was formed and identified itself as the Big Creek Tri-County Watershed Committee. A board of directors was elected composed of Mr. Collins, Mr. Holder, and Guy Garrett, Jr. of Marlin in Falls County. This gave representation on the board from each of the three counties of the watershed.

This effort had the support of many of the local land owners and/or users in the flood plain. The committee sought and received the guidance of the Soil Conservation Service of the U.S. Department of Agriculture in seeking technical advice and in searching for a means of alleviating the flood problem. In September 1954, the Limestone-Falls and McLennas County Soil Conservation Districts made a request for assistance under Public Law 566.

In May 1955 the Soil Conservation Service began an inspection of the affected area and determined that a watershed project would be feasible. As a result of that study the present Big Creek Tri-County Watershed Plan was ultimately developed. The development of this plan would establish 21 floodwater retarding structures, 2 dikes, and 1 multiple-purpose structure.

Big Creek Watershed floods as many as three to four times per year. This flooding affects many areas and creates hardships on most everyone in the area. In addition to soil erosion and disruption of crop management, damage occurs to public roads and bridges, land improvements, and crops and livestock. Closed roads and bridges pose a very serious problem for school buses and emergency vehicles.

It is difficult to determine an average annual monetary damage from floodings but a fair estimate would be approximately $2,000,000. The necessity of continuous road and bridge repair places an additional burden on the tax payers in an area that is already economically depressed. It is important to note that the taxpayers of the area have provided strong support for the project.

This strong support is evidenced by the fact that in 1973, the landowners in the benefited area of the proposed project (primarily in Falls County), voted to issue tax supported bonds up to $500,000 to provide the local funds necessary to support their share of the project. The vote was 83% in favor and 17% against. Although by this time the amount needed to support the local cost share of the project has no doubt increased, the lopsided vote gives a strong indication of how important this project is to our citizens.

In 1956 the Falls County Water Control and Improvement District was formed. This organization was primarily made up of

and supported by landowners in the Big Creek Watershed. It was through this organization that the watershed power of eminent domain and taxation was established. This move was made to support the formal application in September 1954 for assistance under Public Law 566 by the Soil Conservation District of Falls, Limestone, and McLennan counties.

In May 1970 the application was amended to include the Commissioner's Courts of Falls, Limestone, and McLennan Counties. What followed was a period in which further planning and engineering studies were made to reaffirm the feasibility of the project. Again the District Board determined that favorable consideration be given the project. In June 1975 the project was authorized for PL566 planning by the Administrator of the Soil Conservation Services.

In 1980 the City of Marlin became a sponsor of the project because of their need for municipal and industrial water. The city was further impressed by the additional recreational facilities that would be provided by Structure 19 in the proposed project. I will address the importance of a dependable water supply for the City of Marlin later in this presentation.

Although the Commissioner of McLennan and Limestone Counties withdrew as sponsors of the project in 1984 there was a logical reason for it. It is estimated that less than 1% of the benefited area lies in these two counties. At the same time, practically all of the opposition to the project comes from those

areas. As a result of the withdrawal of the Commissioner's Courts of McLennan and Limestone Counties, the Falls County Water Control Improvement District has accepted the financial responsibility of maintaining all structures in McLennan and Limestone Counties and has officially committed to do so.

Individuals who own property upon which flood control structures are to be constructed will be given the option of retaining title to the property or selling the affected acreage based on fair market value as established by an independent appraiser. In either case, maintenance of the facility will remain the responsibility of the sponsoring agency. It should be pointed out that the establishment of a water reservoir on property typically enhances the property value.

Water Supply and Economic Development

The City of Marlin, Texas and surrounding Falls county have had little or no population growth in the past several years. In fact, population has been on the decline since 1960. Much of our failure to grow can be traced to our inability to attract water-dependent industry. It is true that in periods of drought our current supply, which comes from two surface lakes, can be supplemented by pumping water into the lakes from the Brazos River. However, this water has a high saline content and is of low quality. Probably the most objectionable feature of the water from the Brazos River is that less than 20 miles upstream, the City of Waco has a permit to discharge up to 37,800,000

gallons of treated domestic wastewater effluent into the river daily. We would like to provide something better for our children.

I would like to note a few facts about our economy. The per capita income for our county is a mere $8,488 -- up from $5,079 in 1980. In recent years we have had the notorious distinction of being one of the 10 counties with the lowest per capita income in the United States. The current unemployment rate for Falls County is 28.1% which includes 3,821 persons who have drawn all funds for which they are eligible under unemployment compensation and who are eligible for training under the Job Training Program Act.

The City of Marlin, in particular, has a great need for improving its water supply. The future growth and welfare of the area is dependent on improved and dependable water supply. Mr. Harold Underwood, City Manager for the City of Marlin, has submitted written testimony regarding the matter. An increased water supply is crucial for industrial development and for simply ensuring that the citizens of Marlin and surrounding areas have an adequate future quality water supply.

In my personal experience, I was a part of a group that chartered an industrial foundation in 1968. Our purpose was to develop new jobs by attracting new industry to the area. Falls County is basically dependent upon an agricultural economy. The largest part of this county's income is derived from cattle

operations. I am sure you are aware of the problems existing in agriculture and the depressed state of "ag-based" economies. Thanks to the earlier efforts of our industrial foundation we have been able to attract new industry to Marlin. These employers have provided jobs that have helped give some diversification to our economy and maintain our area during very depressed economic times. We feel that we can attract additional industrial jobs but the lack of a dependable water supply restricts our efforts.

There are many future possibilities for our area but these will all require an increase in water supply. Plans to construct two lignite-fired utility facilities in this vicinity have been announced. These plants would mean more jobs, more families, and much needed payroll. Additionally, the Industrial Development Committee for the City of Marlin has been very aggressive in attempting to attract one or more correctional facilities which shall be constructed by the Texas Department of Correction. The two major facilities slated for construction will bring 766 jobs and $16,000,000 total annual payroll to each facility. In addition, six minimum security facilities will be constructed with 283 jobs and an annual payroll of $5,660,000 for each facility. More than 30 Texas cities have applied. Marlin has just been notified that it is one of the final ten locations under consideration. The Big Creek project could greatly enhance our ability to win one of these projects.

Conclusion

Your support in approving the Big Creek Tri-County Watershed Plan is greatly needed. The positive attributes of the project, in my opinion, far outweigh its negatives. The future of our area will be greatly affected by the decision made by your committee. We earnestly solicit your consideration and support. Those of us from Marlin and Falls County who have been asked to represent our people have been honored by our friends to present this information to this Committee, but at the same time we realize the great responsibility placed upon us. This project is of utmost importance to the welfare of our area.

Thank you for your time and for your consideration of our request.

Testimony of

Harold Underwood

City Manager
City of Marlin, Texas

Before the

Senate Committee on Environment & Public Works

Subcommittee on Water Resources, Transportation & Infrastructure

October 27, 1987

on

The Big Creek (Tri-County) Watershed Plan

Thank you Mr. Chairman and Members of the Committee for the opportunity to speak on behalf of the City of Marlin, Texas in favor of the Big Creek (Tri-County) Watershed Project. My name is Harold Underwood. I am the City Manager for the City of Marlin, Texas which, along with its immediate surrounding area, is directly affected by this project.

The City believes that the Big Creek Watershed Project is absolutely essential to securing an adequate water supply for the City of Marlin for its present and future needs. The water shortage problem is the City's number one priority. There is simply not enough water available to the City of Marlin either to sustain its present population of 7,000 or to sustain any future commercial and residential growth. Simply stated, the project is necessary to ensure a reasonable quality of life for our residents.

Our current water supply derives from Marlin Lake, which has been calculated by engineering consultants to provide a safe yield of only 750,000 gallons a day. This yield is insufficient to serve domestic, much less industrial and commercial purposes. Outside of depending on timely rainfall in a limited watershed, our only feasible alternative to this source is to pump water approximately 8 miles from the Brazos River. This is a costly and insufficient alternative. Since 1984, dry conditions have made it nearly impossible to pump water from the Brazos. However, from February to October of 1984, we were barely able to hold our own by diverting approximately 350,000,000 gallons from

the River. Calculations show that without this augmentation, our water supply would have been totally depleted by March 1, 1984; we received no run-off in September of that year and our normal supply from Marlin Lake had run dangerously low.

The City of Marlin is committed to providing a reasonable quality of life to its citizens and is making advances toward economic development to keep pace with a changing economy. A significant part of the Marlin watershed area is dominated by low to moderate income neighborhoods. A substantial portion of Marlin's approximately 40% minority population resides in that area. Over the past three years, the City spent over $600,000 in community development funds to construct an adequate water distribution and sewer collection system for that area. In addition, we are currently constructing further improvements that will cost almost $400,000. These projects, coupled with the completion of a $1,000,000 expansion of a water treatment plant in 1984, are indicative of the efforts Marlin has made to accomodate future growth and progress.

The approval of the Big Creek project by the House of Representatives last year has created a remarkably optimistic climate and has produced a favorable atmosphere for the creation of new jobs and industrial development. Coordinated commercial solicitations by the Marlin City Government, the Marlin Chamber of Commerce, the Industrial Development Board and other interested groups show great promise and are due to pay off in the

near future. Work is about to get underway for construction of a lignite fueled power plant located within 20 miles of Marlin. Further, we are under serious consideration as a site for a major correctional facility to be constructed by the Texas Department of Corrections. This facility alone could provide over 750 new permanent jobs. One of our major existing industries is considering a sizeable expansion that could generate several hundred more jobs.

Marlin clearly has an opportunity for growth and progress, but to be successful in providing jobs and services that will give all our citizens the quality of life they deserve, we must have a more dependable supply of good quality water. The most feasible, if not the only affordable means to add to our water supply is the incorporation of a municipal and industrial (M & I) water project into site No. 19 of the Big Creek (Tri-County) Watershed Plan. As presented in the watershed plan, the structure on Brushy Creek would double our supply of good quality water located much closer to our treatment facility than the Brazos River.

The Big Creek project will also provide much needed water-related recreational activity. At this time no such facility exists in the local area. Multi-purpose structure No. 19 and the adjoining recreation area will provide facilities for picnicking, biking, sports, games, swimming, boating, water-skiing and fishing for about 55,000 people annually.

Another very important benefit that the Big Creek project would bring to Marlin is the elimination of roadway flooding that now occurs on several major transportation routes serving the City. Flooding not only disrupts shipment of goods, it also significantly interrupts the transportation of students and teachers from rural areas to the Marlin Independent School District facilities.

Mr. Chairman, the City has devoted countless hours exploring all avenues for obtaining additional water through feasibility studies, and we simply have not found an affordable alternative to this project. Ground water alternatives have been eliminated by engineering studies as not being of dependable quantity or of acceptable quality. The next most feasible water supply alternative, the construction of about 35 miles of pipeline and pumping stations which would obtain 4,000 acre feet annually of M & I water available from Lake Limestone, is cost prohibitive. A 1985 study conducted by the U.S. Department of the Interior and Bureau of Reclamation estimates that the minimum construction cost for such a project to be $14,070,000 and an average annual maintenance cost to be about $460,000. On top of those costs, the water would have to be purchased and a right of way obtained. This cost simply cannot be reasonably amortized when you consider that the initial debt, maintenance and operation would only be supported by approximately 3,000 accounts.

The project cost of the Big Creek Watershed Plan, on the other hand, is economically feasible. The City's cost can be born entirely by the users of the service. Further, the water rights would be ours and not subject to annual take or pay contractual arrangements as it would be if water was secured from Lake Limestone.

As mentioned earlier, we view this project as being critical to the survival of the City of Marlin. Without the approval of the project, we will not have the opportunity to join in the construction of Multiple Purpose Structure No. 19. This watershed project is really Marlin's only chance to grow and provide an attractive community environment. I urge you to give this project your support.

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October 20, 1987

TO: Chairman and Members of the Committee
Committee on Environment & Public Works
United States Senate
Washington, DC 20510

FROM: Murray Watson, Jr.
Party of Interest

Mr. Chairman and Members of the Committee:

For and on behalf of the land owners of the upper tributaries of the Big Creek Watershed, we would like to again express our opposition to the proposed Big Creek Water Shed Development that is being presented to you by the Soil Conservation Service and the District Directors.

The people whose land will benefit from this project are in Falls County. Those include the large landowners, who purchased cheap riverbottom overflow land, and the City of Marlin, who desires to improve their municipal water supply as a part of the project.

Those who oppose the federal funding of the district do not oppose the City of Marlin establishing or obtaining improvements in or betterment of their source of municipal water supply to the citizens of Marlin. Water is the essential element for any community to survive, most especially in the Southwest. If this project were restricted to that project alone, then the individuals herein would certainly be understanding and supportive, but only to that extent.

As to those who purchased and own Brazos riverbottom overflow land and Big Creek bottom and overflow land, and who desire to keep the water off their land by impounding the water on the upper tributaries of Big Creek by the building of conservation lakes, we do enter our opposition to this part of the project. The individuals who have consistently signed the petitions, copies of which are attached, by a large measure are made up of small landowners who own small tracts of land in the upper tributaries that

are located in the upper Eastern portion of Falls County, Southern and Western Limestone County, and Southern and Eastern McLennan County. They oppose the proposed facility that has been been under study for approximately 30 years, and has yet to become a reality. Thank goodness! We would request that it not become a reality because of the negative economic impact upon the landowners within the Watershed. The land in the upper portion of the Big Creek Watershed is made up of the best land on the farms in question, because the best land is usually in the bottom and when you impound water and flood this land, even for a short time, it builds up an accumulation of silt and kills all perennial crops such as coastal bermuda, common bermuda, rye and timber. All you have left is cockleburrs, kellis weeds, sunflowers and mud bogs. In many cases, tracts that are cut in two are made unuseable.

The permanent water, as we understand has been proposed in the structures, will be minimum, while the flood easements of the land will be substantial. The size of the structure in any number of these instances will result in water remaining impounded for more than three days over permanent pastures; thereby keeping it underwater to make the land totally unuseable and, in some cases, impassable for either cattle or vehicles, even though the flood water may have run down and all you have left is permanent water due to facilitation.

We are told that 6,700 acres will be under water at flood times and the structures, of which only 800 acres will be permanent water, leaving some 5,500 acres of easement acres. This is a ratio of 7 to 1, flood easement to permanent easement. There are no benefits to the upper tributaries, as has been proposed at this time. None of the land owners or the communities in Limestone or McLennan Counties will be benefited. The Commissioner's Courts, in both Limestone and McLennan Counties, have withdrawn their financial support of the project, leaving only Falls County, the Federal Government, and the people of Marlin to bear the cost.

Should the soil conservation change its purpose from soil and water conservation to municipal water supply, then we would request that many of the communities in the upper tributaries be given the opportunity to also participate in and take advantage of the project. These communities would include, but are not limited to, Groesbeck (Limestone County), Otto and Perry (Falls County), Mart/Riesel/Elk/Axel and Hallsburg (McLennan County), and other communities in Limestone County, such as Ben Hur, Kirk and Prairie Hill.

At this time, these communities depend upon underground artesian water supplies, with the exception of Mart, which has a lake that it uses when the well is under repairs.

With the ever increasing financial difficulties facing the Federal Goverment and the national deficit increasing each day, it would appear to a normal tax-payer that some form of reduction in expenditures needs to be made, and a logical place to start would be the projects funded by the Federal Government, especially those that are not needed, not wanted, not warranted, and ill-advised.

At this time, we are not advised whether or not any environmental study has been made concerning the impact that moving tne water from the overflow areas of Falls County will make, and placing the cultivated farming and ranching lands of McLennan and Limestone Counties under water or proposed flood areas will have. We do know that it will result in wild game and wild birds, who nest upon the ground or depend upon trees and shrubs that grow in bottoms, to have to look for other habitats, because this will all be lost due to flooding in the McLennan and Limestone County Watershed.

In support of the position of those opposed to the project, I am enclosing copies of the testimony that was presented in the House of Representatives, Water Resources Sub-Committee, in 1986, copies of the Commissioner's Court Resolutions, withdrawing support in McLennan and Limestone Counties, and copies of P itions, which have been signed and previously filed with ious agencies. We are not here to criticize anyone for doing their job or supporting projects that come to them, but do feel that the community support should be analyzed, economic justification should be reviewed, and the environmental impact should be carefully studied. Therefore, we urge you to carefully consider this project before giving it your support. The project does not represent the needs of the district, but only addresses the desires of the land owners in Falls County and the needs of the City of Marlin.

Your opposition and rejection of this project would be appreciated. Thank you.

Respectfully submitted,

Murray Watson, Jr.

MWJ:kh
kh#2/Creek

Senator MOYNIHAN. Now, to speak for the Soil Conservation Service of the Department of Agriculture on both of the matters before us, we are very happy to welcome Mr. Dennie Burns.

Mr. Burns, I believe Mr. Bouchard is with you. Mr. Burns, we welcome you, sir, and you, Mr. Bouchard, and I will put your written testimony in the record, with great appreciation for the detailed and very knowledgeable judgments, and I wonder if you just might summarize the Service's assessment.

STATEMENT OF DENNIE G. BURNS, ASSOCIATE DEPUTY CHIEF FOR PROGRAMS, SOIL CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY CARL E. BOUCHARD, WATERSHED PLANNING PROGRAM COORDINATOR

Mr. BURNS. Thank you, Mr. Chairman, and it is my pleasure to appear before your committee on behalf of the Soil Conservation Service in support of these projects.

We do have substantial material that we have provided to your committee that gives the detailed background.

Mr. Bouchard is our specialist that handles the coordination of the watershed program in our national headquarters, and has information on the details of the project and would be particularly pleased to respond to any questions of your committee.

I would just summarize our comments by saying that the two projects that you have under consideration today are fully consistent with both the law and the policy associated with implementation of Public Law 83-566. They are consistent with our priorities within the implementation of the program in that they are both heavily focused on control of flood damages.

In addition to that, as other witnesses have said, they include the recreation and municipal and industrial water features which strengthen the feasibility of the projects.

I would just conclude, Mr. Chairman, by saying that these projects are local projects and, as you have already so well noted, are funded very heavily from non-Federal sources of funds. The local sponsoring organizations are paying 100 percent of the construction and land rights costs associated with municipal water development in each of the projects. They are paying 50 percent of the construction and land rights costs associated with the recreation purposes, and they are paying 100 percent of the land rights costs associated with the flood control purposes.

The Federal government's largest contribution, then, in each of these projects, is that we are obligated by the law to pay 100 percent of the construction costs associated with control of floods in those watershed projects, as you are well aware.

The projects that you have before you today represent a Federal-State-Local partnership in the development of solutions to both water shortage and water excess, problems that exist in these two projects, and the Agency and the Department support their approval by your committee.

Senator MOYNIHAN. You have a very hefty benefit-cost ratio for the Texas project. The benefit-cost ratio for the North Deer Creek in Oklahoma is very minimal; isn't it, 1.08 to 1?

Mr. BURNS. With your permission, Mr. Chairman, I would like to ask Mr. Bouchard to respond to that?

Senator MOYNIHAN. Would you, Mr. Bouchard?

Mr. BOUCHARD. Yes, the North Deer Creek benefit-cost ratio is fairly low, primarily because the benefits for the municipal, industrial portion are normally equated at 1 to 1.

Senator MOYNIHAN. Help me with that.

Mr. BOUCHARD. The benefit-cost ratio was arrived at by adding the benefits for each purpose; namely, flood, recreation, and municipal-industrial water supply, then dividing this total by the cost of the project. The method used to arrive at the benefit for the municipal-industrial water supply is one of determining the next least costly way to obtain this water supply if the project were not installed. In the case of North Deer Creek, the next best alternative would be to build a dam at the same location for water supply only. Such a dam would cost almost as much as the planned multi-purpose dam. This has the effect of setting the benefit-cost ratio of the water supply portion of the project near unity, almost without regard to total project cost. Since the water supply portion of the project represents about 60 percent of the benefits, the entire project benefit-cost ratio is pulled closer to unity. An additional lowering of the benefit-cost ratio was caused by the need to discount the benefits for water supply and recreation by about two years. This is based on the fact that after the dam is built, it will take two years for the lake to fill and be available for recreation and water supply. However, all purposes are justified.

Senator MOYNIHAN. All right, it is all very clear, very orderly, but I would like to ask, because we do have to be sensitive, and we are sensitive—there is always the downside, which is usually upstream.

I wonder if I could ask Mr. Bouchard, and I will ask you, Mr. Burns, if you would ask your associate to give us a statement of his assessment of Mr. Rivers testimony about the Big Creek Tri-County area?

If you would give this to us in writing and let us have it. I don't wish to be difficult, but can you get it to us by the end of the week?

Mr. BURNS. We certainly will try to. Yes, we can.

Senator MOYNIHAN. It is a great pleasure to have the Department of Agriculture before us, we don't see you often and when we do we are much improved to the degree that knowledge adds to character and we need to see more of you.

Thank you very much.

I would like to thank our staff, who have done this so well. The committee, obviously, cannot make a decision until we have a forum. The subcommittee will meet and I may ask the full committee to do this.

In any event, I will dispose of it shortly, and thank you gentlemen most especially.

The committee stands in recess.

[Whereupon, at 3:00 p.m., the subcommittee adjourned.]

[Statements submitted for the record and responses to additional questions follow:]

STATEMENT

BY

DENNIE G. BURNS

ASSOCIATE DEPUTY CHIEF FOR PROGRAMS

SOIL CONSERVATION SERVICE

U.S. DEPARTMENT OF AGRICULTURE

BEFORE THE

SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION

AND INFRASTRUCTURE

OF THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ON

TUESDAY, OCTOBER 27, 1987

MR. CHAIRMAN, I AM PLEASED TO APPEAR BEFORE YOUR COMMITTEE TODAY TO PROVIDE SUPPORT FOR THE TWO WATERSHED PROJECTS YOU ARE CONSIDERING:

BIG CREEK (TRI-COUNTY) WATERSHED IN TEXAS; AND
NORTH DEER CREEK WATERSHED IN OKLAHOMA

WITH ME TODAY IS MR. CARL E. BOUCHARD, WATERSHED PLANNING PROGRAM COORDINATOR, PROJECT DEVELOPMENT AND MAINTENANCE DIVISION. HE IS PREPARED TO PROVIDE A BRIEF TECHNICAL EXPLANATION OF THESE PROJECTS. THEN WE WILL BOTH BE AVAILABLE TO ANSWER ANY QUESTIONS YOU MAY HAVE.

THE TWO PROJECTS UNDER CONSIDERATION TODAY HAVE BEEN PREPARED IN ACCORDANCE WITH THE WATERSHED PROTECTION AND FLOOD PREVENTION ACT OF 1954, PUBLIC LAW 83-566. UNDER THIS ACT, WE ARE GIVING THE HIGHEST PRIORITY TO PLANNING AND APPROVING PROJECTS THAT EMPHASIZE FLOOD PREVENTION, EROSION CONTROL, AND WATER CONSERVATION. BOTH OF THESE PROJECTS ARE FOR THE PURPOSE OF FLOOD PREVENTION AND ALSO INCLUDE STORAGE FOR THE ADDITIONAL PURPOSES OF MUNICIPAL AND INDUSTRIAL WATER SUPPLY AND RECREATION.

ADMINISTRATION POLICIES FOR WATER DEVELOPMENT EMPHASIZE LOCAL PARTICIPATION AND COST SHARING AND FEDERAL PARTICIPATION BASED ON NATIONAL ECONOMIC DEVELOPMENT. THE SOIL CONSERVATION SERVICE WATERSHED PROGRAM IS COMPATIBLE WITH THESE POLICIES AS ARE THE NORTH DEER CREEK AND BIG CREEK (TRI-COUNTY). THE ESTIMATED PROJECT BENEFITS STILL EXCEED THE ESTIMATED COSTS.

WATERSHED PROJECTS ARE NOT DIRECT FEDERAL UNDERTAKINGS. RATHER, THEY ARE INITIATED BY LOCAL UNITS OF GOVERNMENT AND OTHER SPONSORING ORGANIZATIONS. THEY ARE DEVELOPED BY TEAMS THAT COOPERATE WITH LOCAL CONSERVATION DISTRICTS, COUNTY GOVERNMENTS, AND OTHER LOCAL ENTITIES. LOCAL STEERING COMMITTEES ARE GENERALLY FORMED TO GIVE GUIDANCE TO THE PLANNERS, HELP ESTABLISH PLANNING OBJECTIVES AND PRIORITIES, AND HELP SELECT THE FINAL PLAN. THE GOVERNORS OF EACH STATE REVIEW THE PROJECT APPLICATIONS TO ASSURE THEIR CONSISTENCY WITH STATE PLANS AND PROGRAMS.

THE AMOUNT OF FINANCIAL ASSISTANCE BY BENEFICIARIES VARIES BY THE PROJECT'S PURPOSE. FOR FLOOD PREVENTION, LOCAL SPONSORS PROVIDE ALL LANDRIGHTS. THE FEDERAL GOVERNMENT PAYS 100 PERCENT OF FLOOD PREVENTION CONSTRUCTION COSTS WITH FEDERAL FUNDS APPROPRIATED UNDER PUBLIC LAW 83-566. THE SPONSORS WILL PROVIDE AT LEAST 50 PERCENT OF THE CONSTRUCTION AND LANDRIGHTS COSTS FOR RECREATION AND WILL PROVIDE 100 PERCENT OF THE CONSTRUCTION AND LANDRIGHTS COSTS REQUIRED FOR MUNICIPAL, INDUSTRIAL, AND RURAL WATER SUPPLY. THE LOCAL SPONSORS WILL OPERATE AND MAINTAIN ALL COMPLETED FACILITIES.

THE WATERSHED PROGRAM IS BASED ON A LOCAL-STATE-FEDERAL PARTNERSHIP WHERE THE DIRECT BENEFICIARIES OF THE PROJECTS AGREE TO BEAR A SUBSTANTIAL SHARE OF THE BURDEN OF THE COSTS OF THE SERVICES THEY WILL RECEIVE.

FOR A DESCRIPTION OF THE TWO PROJECTS BEING CONSIDERED TODAY, I TURN NOW TO MR. BOUCHARD.

Big Creek (Tri-County) Watershed, Texas

The Big Creek (Tri-County) Watershed covers 236,620 acres in Central Texas in Falls, Limestone, and McLennan Counties. Big Creek flows southerly and enters into the Brazos River about 10 miles south of the city of Marlin (population 7,099).

The watershed is predominantly rural and has as major population centers Waco (population 170,755) and Killeen-Temple (population 214,656) which are both within 50 miles of the watershed. Mort (population 2,324) lies in the northwestern part of the watershed.

Land uses in the watershed consist primarily of cropland (54%) pastureland (12%) and rangeland (30%). The other 4 percent is in miscellaneous uses. Ninety-eight percent of the watershed is in private ownership with the remaining 2 percent being state and locally owned.

The main resource problem is the flooding of 32,340 acres of agricultural land and the resulting damage to soil resources from erosion and to channels and waterways from sedimentation. Approximately 32,340 acres are in the flood plain of which over 18,000 acres flood at least every other year. Damages occur to crops and agricultural improvements as well as to roads and bridges. Average annual damages are estimated to be $2,258,240.

The city of Marlin has a dependable water supply of only 0.75 MGD while it currently has an average demand of 1.38 MGD which is projected to increase to 2.46 MGD by the year 2010 and 2.46 MGD by the year 2030. Opportunities for water-based recreation are also limited in the watershed area.

The project has been planned to reduce flood damages and provide for recreation, and for a municipal and industrial water supply. The project installation is estimated to take 9 years.

The planned project measures consist of 21 floodwater retarding structures, 1 multipurpose reservoir for floodwater retardation, recreation, municipal and industrial water storage; two dikes; and recreation facilities. The multipurpose structure will provide 7,712 acre-feet of floodwater retarding capacity, 2,590 acre-feet for water supply, 1,827 acre-feet for recreation and 2,358 acre-feet for sediment storage.

The project will reduce average annual flood damages by about 56 percent. The average area flooded every other year will be reduced from about 18,300 acres to 10,500 acres. The 7,099 residents of Marlin will be provided a dependable raw water supply coupled with other sources to last through the year 2030. The project will provide a needed water based public recreation development by adding an estimated 55,000 visitor days annually in the form of picnicking, biking, sport games, swimming, boating, water skiing, and fishing.

Total annual benefits based on 1987 values using the current discount rate of 8 7/8 percent are estimated to be $1,517,110 of which $1,160,290 are flood prevention, $178,250 are water supply and $178,570 are recreation benefits. The estimated annual cost is $820,190. The total estimated cost is $13,223,400 of which $9,813,320 will be federal funds.

7/21/87

BIG CREEK (TRI-COUNTY) WATERSHED, TEXAS

Size and Location - 236,620 acres in Falls, Limestone, and McLennan Counties

Sponsors - Falls County Water Control and Improvement Districts
Falls County Commissioners Court
Limestock-Falls Soil and Water Conservation District
McLennan County Soil and Water Conservation District
City of Marlin

Purposes - Flood Prevention, Recreation, and Municipal and Industrial Water Supply.

Principal Measures - Structural measures consisting of 21 Floodwater Retarding Structures, 1 Multiple-purpose Floodwater Retarding Recreation, Municipal, and Industrial Water Storage Structure, Two Dikes, and Recreation Facilities.

Annual Benefits and Costs 1/

	Average Annual Dollars	
	Benefit	Cost
Flood Prevention	$1,160,290	
Recreation	178,570	
Municipal and Industrial Water Supply	178,250	
	1,517,110	820,140

Benefit:Cost Ratio - 1.85:1.0

Capital Costs - 2/

	P.L. 566 Funds		Other Funds		Total
	Dollars	Pct.	Dollars	Pct.	Dollars
Structural Measures					
Flood Prevention	8,827,070	82.3	1,900,580	17.7	10,727,630
Recreation	344,240	49.7	348,100	50.3	692,340
Municipal and Industrial Water Supply	0	0	1,145,140	100.0	1,145,140
Project Administration	642,010	97.6	16,000	2.4	658,010
TOTAL	9,813,320	74.2	3,409,820	25.8	13,223,140

1/ Discount rate of 8 7/8 percent

2/ Price base - 1987

7/21/87

North Deer Creek Watershed, Oklahoma

The North Deek Creek Watershed covers 30,111 acres in Cleveland, Oklahoma and Pottawatomie Counties, Oklahoma. North Deer Creek flows in an easterly direction and is a tributary to the North Canadian River. The watershed is in central Oklahoma and lies between Oklahoma City (population 403,213) and Shawnee (population 26,506). It is in the outlying suburban areas of both these cities. The principal towns located in the watershed are Dale (population 400) and Newalla (population 200).

Land uses in the watershed consist of pastureland (19%), rangeland (37%), forestland (28%), cropland (8%) and other miscellaneous uses (8%). There are 153 farms located wholly or partially in the watershed with an average size of 127 acres. 7,530 acres are classified as important farmland. Ninety-four percent of the watershed is in private ownership and 2 percent is federally owned. The remaining 4 percent is state and locally owned.

The main resource problem is the flooding of agricultural and urban land and the resulting damage to soil resources from erosion and to channels and waterways from sedimentation. Approximately 2,000 acres are in the flood plain, a fourth of which flood every year. Damage occurs to crops and agricultural improvments as well as to private residences, roads, bridges and public facilities. Average annual damages are estimated to be $72,960.

Being in close proximity to an urbanzing area has put demands on existing recreation waters and on the need for municipal and industrial water where shortages are often experienced. The Pottawatomie County Development Authority (PCDA) has estimated a current water shortage of 1.56 MGD for the County which is expected to increase to 5.65 MGD by the year 2000.

The project has been planned for flood prevention, recreation, municipal and industrial water supply. The project installation period is estimated to take 4 years.

The planned project measures consist of a multipurpose reservoir for municipal and industrial water supply, recreation and flood prevention; a recreational development; and a water supply line. The multipurpose structure will provide about 10,300 acre-feet of flood retarding capacity, 10,100 acre-feet for water supply, 1,500 acre-feet for recreation and 3,000 acre-feet for sediment storage.

The project will reduce average annual flood damages by 92 percent. The average area flooded annually will be reduced from about 1,100 acres to 126 acres. The 52,000 population served by the PCDA will be provided a dependable raw water supply for the year 1990 and, with supplemental emergency water from the Oklahoma City pipeline, for the year 2000. The project will provide a needed water-based public recreation development by adding an estimated 207,000 visitor days annually in the form of picnicking, camping, boating, water skiing, fishing, hunting, and hiking.

Total annual benefits for the evaluation period based on 1987 values and using the current discount rate of 8 7/8 percent are estimated to be $1,266,110, of which $46,700 are flood prevention, $471,500 are recreation and $747,910 are water supply benefits. The estimated annual cost is $1,176,290. The total estimated cost is $15,091,210 of which $3,223,680 will be federal funds.

7/21/87

NORTH DEER CREEK WATERSHED, OKLAHOMA

Size and Location - 30,111 acres in Cleveland, Oklahoma and Pottawatomie Counties

Sponsors - Cleveland County Conservation District
Oklahoma County Conservation District
Shawnee Conservation District
Pottawatomie County Development Authority

Purposes - Flood Prevention, Recreation, and Municipal and Industrial Water Supply.

Principal Measures - Structural measures consisting of one multiple-purpose dam for storing flood, recreation and municipal and industrial water and waterbased recreation facilities.

Annual Benefits and Costs 1/	Average Annual Dollars	
	Benefit	Cost
Flood Prevention	$ 46,700	
Recreation	471,500	
Municipal and Industrial Water Supply	747,910	
	$1,266,110	$1,176,290

Benefit:Cost Ratio - 1.08:1

Capital Costs - 2/	P.L. 566 Funds		Other Funds		Total
	Dollars	Pct.	Dollars	Pct.	Dollars
Structural Measures					
Multiple-purpose structure	2,354,500	20.4	9,183,710	79.6	11,538,210
Recreational development	770,800	54.1	653,920	45.9	1,424,720
Water Supply Line	0	0	1,629,550	100	1,629,550
Project Administration	98,380	19.7	400,350	80.3	498,730
TOTAL	$3,223,680	21.4	$11,867,530	78.6	$15,091,210

1/ Discount rate of 8 7/8 percent

2/ Price base - 1987

7/21/87

RESPONSES TO QUESTIONS

Subcommittee on Water Resources, Transportation, and Infrastructure

Committee on Environment and Public Works

Big Creek (Tri-County) Watershed, Texas

and

North Deer Creek Watershed, Oklahoma

October 27, 1987

Chairman Moynihan:

Question: Please address the concerns expressed by Mr. Rivers, primarily regarding the compensation for land that will be taken for the project and who will be responsible for operation and maintenance of the structures.

Response: Unfortunately some of Mr. Rivers' concerns are based upon the "draft" watershed plan and EIS rather than the "final."

The project benefits are based upon the flood reduction downstream from the planned floodwater retarding structures and should not be confused with the temporary detention of floodwater upstream of the dams.

The land costs for easements shown in the plan were furnished by the project sponsors to establish an estimate of local costs, not federal costs. Compensation to landowners who do not wish to grant easements for project purposes will be in accordance with the condemnation laws and courts of the State of Texas. The land use and how each will be affected are listed on page 64 of the plan.

There are no practical and feasible alternatives to the upstream flood prevention dams. The lack of acceptable topography and the presence of highways, roads, and public utilities make the location of one or more large dams impractical. The use of waterways or channels in lieu of floodwater retarding structures as planned are unreasonable due to the instability of soils, environmental sensitivity, and overall costs.

The "final" plan excludes as sponsors the Limestone County Commissioners Court and McLennan County Commissioners Court who withdrew as sponsors. However, the City of Marlin, the Limestone Falls and McLennan Soil and Water Conservation Districts, and the Falls County Commissioners Court still remain as sponsors, as well as the Falls County Water Control and Improvement District (WCID). The Falls County WCID has full legal authority and will assume all operation and maintenance within these counties as reflected on page 48 of the plan, with funds generated by taxing the benefited landowners within Falls County. According to the WCID, landowners in Limestone and McLennan Counties will not be taxed. The watershed plan with addendum also reflects the 1987 price base for construction costs, not those implied by Mr. Rivers as being 30 years old.

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Question: Expanied answer to why the benefit-cost ratio in the North Deer Creek Watershed is low.

Response: The benefit-cost ratio was arrived at by adding the benefits for each purpose; namely, flood, recreation, and municipal-industrial water supply, then dividing this total by the cost of the project. The method used to arrive at the benefit for the municipal-industrial water supply is one of determining the next least costly way to obtain this water supply if the project were not installed. In the case of North Deer Creek, the next best alternative would be to build a dam at the same location for water supply only. Such a dam would cost almost as much as the planned multi-purpose dam. This has the effect of setting the benefit-cost ratio of the water supply portion of the project near unity, almost without regard to total project cost. Since the water supply portion of the project represents about 60 percent of the benefits, the entire project benefit-cost ratio is pulled closer to unity. An additional lowering of the benefit-cost ratio was caused by the need to discount the benefits for water supply and recreation by about two years. This is based on the fact that after the dam is built, it will take two years for the lake to fill and be available for recreation and water supply. However, all purposes are justified.

Senator Stafford:

Question: Has the Administration's recently announced policy with respect to the calculation of agricultural benefits for water resources projects had any effect on the benefit to cost ratio for either of these projects? If so, what is that effect? Is SCS using this new procedure for the evaluation of future small watershed projects?

Response: Both of these projects were planned and submitted to Congress prior to 1986 using procedures then in effect. In June 1987, the current policy on the use of normalized prices was put into effect by which the Office of Management and Budget required that landrights for one project feature be obtained by October 1, 1988. Since these projects would have been subject to this deadline, it was decided to reevaluate both projects prior to this hearing using the subsidy free normalized prices and 8 7/8 percent discount rate.

The effect was that the benefit-cost ratio for the Big Creek (Tri-County) project was reduced from 2.0:1 down to 1.8:1. The benefit-cost ratio for the North Deer Creek project was reduced from 1.10:1 down to 1.08:1. The primary reason the North Deer Creek benefit-cost ratio did not go down significantly is because of the small amount of agricultural land containing program commodity crops.

Yes, the Soil Conservation Service is using the normalized prices free of subsidy as generated by this new procedure as mandated by the Director of the Office of Management and Budget in a letter signed on June 2, 1987, and agreed to in a statement of procedures dated June 1987, by the Departments of Agriculture, Army, Interior, and the Tennessee Valley Authority.

Question: I notice that with respect to both the Big Creek and the North Deer Creek projects, many citizens have signed petitions in opposition to those projects. For the record, please summarize the substance of the opposition's argument against these projects. Does every person who is opposed to these projects own land that would be impacted by the project? If not, in the instance of each project, how many landowners in opposition are there and how much of their land would be affected? Conversely, in the instance of each project, how many landowners in support of the project are there and how much of their land would be affected?

Response: In the Big Creek Watershed, the upstream landowners feel that the construction of floodwater retarding structures will reduce the income producing capability of their agricultural land, create noxious weed problems associated with these floodwater retarding structures, and restrict access to land cut off at flood stage due to limited crossings of stream channels. Moreover, landowners fear receipt of unjust compensation for damages/ landrights/easements. Those upstream do not feel they should sacrifice for the downstream beneficiaries. Not every person who is opposed to the Big Creek project owns land that would be impacted. There are five individuals with an expressed opposition to this project that own land in seven of the upstream reservoir sites that would be affected. These five names appear on the petitions included in the plan-EIS. The land involved by these five

individuals totals about 350 acres, which would be obtained either in fee simple or construction and flood easements. There are about 7,500 acres in the whole watershed for which easements or title will need to be acquired and which are owned by approximately 150 individuals. None of the other 145 have expressed any opposition in writing or at any of the public meetings.

For the North Deer Creek Watershed, the petition signers expressed concern that just compensation would not be paid for land taken for the project; that fish and wildlife habitats would be altered; and that access would be cut for emergency vehicles and school buses. These concerns were discussed and answered at the public meetings.

Not all signers of the petition own land that would be taken for the project. Approximately 46 landowners own land that will be taken either in fee simple or by construction or flood easements. Approximately 2,750 acres will be needed. About 10 landowners have expressed some opposition to the project either by signing the petition or by writing letters. They control about 400 acres. No opposition has been formally expressed since the plan has been prepared.

Question: From an examination of the Big Creek project map, it appears that the watershed of Big Creek is not totally encompassed by the boundaries of the project. Please explain why this is the case. Is it not true that small watershed projects are supposed to address a whole watershed--i.e., they are not supposed to address selected parts of a larger (over 250,000 acres) watershed? How large is the complete watershed of Big Creek?

Response: The Big Creek Watershed contains a drainage area of 236,620 acres. Its outlet is in common with the flood plains of Mussel Run Creek, Brazos River, and Little Brazos River. Because the area at the outlet is extremely flat, to make an exact determination in such a situation requires a combination of maps, engineering surveys, and professional engineering judgement. By the very nature of the flood plain topography, the drainage area changes with flood frequency. For instance, the normal low flows of Big Creek enter the Brazos River through Mussel Run Creek, while the 100-year rainfall events cause backwater flow along Big Creek into the flood plain common with Little Brazos River. It is the 100-year event upon which the project drainage area and resultant project benefits were determined. The watershed boundary was drawn at the Falls and Robertson County line for convenience. It could easily have been drawn at the confluence with the Little Brazos River or at the diversion point with Mussel Run Creek resulting in two contiguous watersheds. Watershed boundaries do not have to be extended to the downstream end of the river or stream for which the watershed is named. Downstream tributaries can be individual watersheds by themselves. Benefits can be claimed outside of the watershed boundary. This project is not a part of a separate or much larger watershed project.